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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/510,072

06/09/2005

Michael Gunzert

GUNZ3001/FJD

4277

23364 7590 11/28/2007

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EXAMINER

CHERRY, STEPHEN J

ART UNIT

PAPER NUMBER

2863

MAIL DATE

DELIVERY MODE

11/28/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/510,072

Applicant(s)

GUNZERT ET AL.

Examiner

Stephen J. Cherry

Art Unit

2863

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 July 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 20-23, 28, 30 and 31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 20-23, 28, 30 and 31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 August 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 28 is rejected under 35 U.S.C. 102(e) as being anticipated by Sunshine et al. (US 6,839,636).

Sunshine et al. teach a central unit with transmission line (computer 235) Note Figure 2.; Sunshine et al. teach at least one measurement module (sensors 201-205) connected to said central unit Note column 7, lines 60-63 and Figure 2; a multiplexer, wherein each measurement module is selectable by said central unit by a selection line and connected to the multiplexer. Note column 7, lines 60-62 and Figure 2; Sunshine et al. teach a multiplexer (225) Note Figure 2; Sunshine et al. teach wherein the module transmission lines are connectable with the inputs of said multiplexer. Note column 7, lines 60-62 and Figure 2. Sunshine et al. teach computer controls said multiplexer. Note column 7, line 63. This suggests that multiplexer is controllable via selection line. Note column 7, lines 63-64 and Figure 2.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 20-23 and 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sunshine et al. (US 6,839,636) in view of Brobeil (US 5,402,685).

In reference to claim 30, Sunshine et al. teach providing a selection line for each measurement module over which digital data is transferred; Note column 7, lines 60-62 and Figure 2. Sunshine et al. teach selecting a measurement module by the central unit and a selection line, Note column 7, lines 60-62 and Figure 2..Sunshine et al. teach different measuring modules are selected for different selection times periodically by the central unit; Note column 7, lines 60-64.

Sunshine et al. does not teach the selection times are changed.

Brobeil teach the selection times are changed (selectable time intervals). Note column 6, lines 17-24.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the invention Sunshine et al. to include the teaching of Brobeil because it would allow the measurements to be programmed for specific time periods.

In reference to claim 20, Sunshine et al. teach controlling a multiplexer by the selection lines such that data transmitted over a module transmission line of the

selected measurement module are forwarded via the multiplexer to the central unit.

Note column 7, lines 59-64.

In reference to claim 21, Sunshine et al. teach transmitting data transmitted from the central unit over a central transmission line to all measurement modules. Note column 5, lines 17-19.

In reference to claim 22, Sunshine et al. teach utilizing data sent from the central unit only in the measurement module selected by means of a selection line. Note abstract lines 8-10.

In reference to claim 23, Sunshine et al. teach measuring modules are selected for different selection times periodically by the central unit; Note column 7, lines 60-64. In reference to claim 24, Sunshine et al. teach different measuring modules are selected for different selection times periodically by the central unit; Note column 7, lines 60-64.

Claim 31 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sunshine et al. (US 6,839,636) in view of Boehr et al. (US 2003/018461). In reference to claim 31, Sunshine et al. teach providing a selection line for each measurement module over which digital data is transferred; Note column 7, lines 60-62 and Figure 2. Sunshine et al. teach selecting a measurement module by the central unit and a selection line, Note column 7, lines 60-62 and Figure 2. Sunshine et al. teach different measuring modules are selected for different selection times periodically by the central unit; Note column 7, lines 60-64.

Sunshine et al. does not teach the measurement modules are selected a plurality of times within one cycle.

Boehr et al. teach the measurement modules are selected a plurality of times within one cycle. Note paragraph 29, lines 5-7.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the invention of Sunshine et al. with the teaching of Boehr et al. because it would create a training set. Note paragraph 29, lines 5,8.

Response to Arguments

Applicant's arguments filed 7-11-2007 regarding prior art rejections of the claims have been fully considered but they are not persuasive. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., A circuit with the combination of lines 3, 4 and 5) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

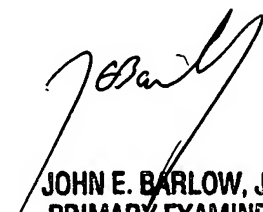
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen J. Cherry whose telephone number is (571) 272-2272. The examiner can normally be reached on M-F 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Barlow can be reached on (571) 272-2269. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2863

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


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